	Application No.	Applicant(s)
Notice of Allowability	09/537,068	DOYLE, RONALD P.
	Examiner	Art Unit
	Andrew L. Nalven	2134

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to *Board decision rendered 9/21/2007*.

2. ☒ The allowed claim(s) is/are *1,6-10,15-19 and 24-27*.

3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All   b) ☐ Some*   c) ☐ None of the:

       1. ☐ Certified copies of the priority documents have been received.

       2. ☐ Certified copies of the priority documents have been received in Application No. _____ .

       3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

    * Certified copies not received: _____ .

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.

5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.

    (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached

   1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____ .

    (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of

       Paper No./Mail Date _____ .

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).

6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)

2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)

3. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date _____

4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material

5. ☐ Notice of Informal Patent Application

6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____ .

7. ☒ Examiner's Amendment/Comment

8. ☐ Examiner's Statement of Reasons for Allowance

9. ☐ Other _____ .
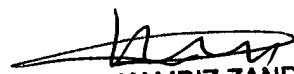
KAMBIZ ZAND
SUPERVISORY PATENT EXAMINER

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes

and/or additions be unacceptable to applicant, an amendment may be filed as provided

by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be

submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview

with Marcia Doubet on 11/13/2007.

The application has been amended as follows:

Claim 1.   A computer program product for using biometrics on pervasive

devices for mobile identification, said computer program product embodied on a

medium readable by said pervasive device and comprising:

programmable code [[means]] for capturing, using a biometric input reader which

is attached to or incorporated within a mobile pervasive device possessed by a user,

biometric data of another being encountered by said possessor;

programmable code for transmitting said captured biometric data from said

mobile pervasive device to a remote server;

programmable code for retrieving, by said remote server, information from a

repository using said transmitted biometric data, wherein said retrieved information

comprises a photograph of a party to whom said biometric data corresponds;

<u>programmable code for returning said retrieved information to said mobile</u>

<u>pervasive device</u>; and

programmable code [[means]] for identifying said encountered being using said

captured biometric data by comparing said captured biometric data to previously-stored

biometric data.

Claims 2 -5 are canceled.

Claim 6:   The computer program product according to Claim ~~2 or Claim 5~~ 1,

further comprising:

programmable code [[means]] for filtering, by said remote server, said retrieved

information based upon a determined identity of said encountered being; and

wherein said returned retrieved information is said filtered retrieved information.

Claim 7:   The computer program product according to Claim 1, wherein said

mobile pervasive device further comprises a locally-stored repository containing said

previously stored biometric data, and wherein said programmable code [[means]] for

identifying compares, by said mobile pervasive device, said captured biometric data to

said previously-stored biometric data in said locally-stored repository.

Claim 8:   The computer program product according to Claim 1, wherein said

computer program product is used to enable on-demand creation of a secure meeting

site by repeating operation of said programmable code [[means]] for capturing, <u>said</u>

<u>programmable code for transmitting, said programmable code for retrieving, said</u>

<u>programmable code for returning</u>, and said programmable code [[means]] for identifying

for each of a plurality of meeting attendees.

Claim 9:   The computer program product according to Claim 1, wherein said

computer program product is used to exchange a trusted message by performing

operation of said programmable code [[means]] for capturing, <u>said programmable code</u>

<u>for transmitting, said programmable code for retrieving, said programmable code for</u>

<u>returning</u>, and said programmable code [[means]] for identifying wherein said

encountered being is a potential recipient of said trusted message.

Claim 10:   A system for using biometrics on pervasive devices for mobile

identification, said system comprising:

     a mobile pervasive device possessed by a user;

     a biometric input reader attached to or incorporated within said mobile pervasive

device;

     means for capturing biometric data of another being encountered by said

possessor, using said biometric input reader;

     <u>means for transmitting said captured biometric data from said mobile pervasive</u>

<u>device to a remote server;</u>

means for retrieving, by said remote server, information from a repository using

said transmitted biometric data, wherein said retrieved information comprises a

photograph of a party to whom said biometric data corresponds;

means for returning said retrieved information to said mobile pervasive device;

and

means for identifying said encountered being using said captured biometric data

by comparing said captured biometric data to previously-stored biometric data.

Claims 11 - 14 are canceled.

Claim 15:   The system according to Claim.11 or Claim 14 10, further comprising:

means for filtering, by said remote server, said retrieved information based upon

a determined identity of said encountered being; and

wherein said returned retrieved information is said filtered retrieved information.

Claim 17:   The system according to Claim 10, wherein said system is used to

enable on-demand creation of a secure meeting site by repeating operation of said

means for capturing, said means for transmitting, said means for retrieving, said means

for returning, and said means for identifying for each of a plurality of meeting attendees.

Claim 18:   The system according to Claim 10, wherein said system is used to

exchange a trusted message by performing operation of said means for capturing, said

means for transmitting, said means for retrieving, said means for returning, and said

means for identifying wherein said encountered being is a potential recipient of said

trusted message.

Claim 19:   A method for using biometrics on pervasive devices for mobile

identification, said method comprising the steps of:

    capturing, using a biometric input reader attached to or incorporated within a

mobile pervasive device possessed by a user, biometric data of another being

encountered by said possessor;

    transmitting said captured biometric data from said mobile pervasive device to a

remote server;

    retrieving, by said remote server, information from a repository using said

transmitted biometric data, wherein said retrieved information comprises a photograph

of a party to whom said biometric data corresponds;

    returning said retrieved information to said mobile pervasive device; and

    identifying said encountered being using said captured biometric data by

comparing said captured biometric data to previously-stored biometric data.

Claims 20 - 23 are canceled.

Claim 24:   The method according to Claim 20 or Claim 23 19, further

comprising the step of:

filtering, by said remote server, said retrieved information based upon a

determined identity of said encountered being; and

wherein said returned retrieved information is said filtered retrieved information.

Claim 26:   The method according to Claim 19, wherein said method is used

to enable on-demand creation of a secure meeting site by repeating operation of said

capturing step, <u>said transmitting step, said retrieving step, said returning step</u>, and said

identifying step for each of a plurality of meeting attendees.

Claim 27:   The method according to Claim 19, wherein said method is used

to exchange a trusted message by performing operation of said capturing step, <u>said</u>

<u>transmitting step, said retrieving step, said returning step</u>, and said identifying step

wherein said encountered being is a potential recipient of said trusted message.

Please see Board Decision rendered 9/21/2007 for reasons for allowance.

Any comments considered necessary by applicant must be submitted no later

than the payment of the issue fee and, to avoid processing delays, should preferably

accompany the issue fee. Such submissions should be clearly labeled "Comments on

Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Andrew L. Nalven whose telephone number is 571 272

3839. The examiner can normally be reached on Monday - Thursday 8-6, Alternate

Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Kambiz Zand can be reached on 571 272 3811. The fax phone number for

the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Andrew Nalven

KAMBIZ ZAND
SUPERVISORY PATENT EXAMINER